

ASSEMBLY BILL

No. 430

**Introduced by Assembly Members Dutra and Simitian
(Coauthors: Assembly Members Cohn, Diaz, Houston, and
Mullin)**

February 14, 2003

An act to add Section 73502.2 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 430, as introduced, Dutra. Bay area regional water system.

(1) Existing law requires the City and County of San Francisco, on or before February 1, 2003, to adopt certain capital improvement projects designed to restore and improve the bay area regional water system.

This bill would require each state and local public agency that has authority to issue a permit, license, or other approval for any of those projects to give priority to the city's application for that permit, license, or approval. The requirements established by the bill relating to local public agencies would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 73502.2 is added to the Water Code, to
2 read:
3 73502.2. Each agency of the state and each local public
4 agency that has authority to issue a permit, license, or other
5 approval for any of the projects identified in subdivision (b) of
6 Section 73502 shall give priority to the city's application for that
7 permit, license, or approval, and shall process that application
8 expeditiously.
9 SEC. 2. Notwithstanding Section 17610 of the Government
10 Code, if the Commission on State Mandates determines that this
11 act contains costs mandated by the state, reimbursement to local
12 agencies and school districts for those costs shall be made pursuant
13 to Part 7 (commencing with Section 17500) of Division 4 of Title
14 2 of the Government Code. If the statewide cost of the claim for
15 reimbursement does not exceed one million dollars (\$1,000,000),
16 reimbursement shall be made from the State Mandates Claims
17 Fund.

